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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,201	03/29/2001	Samuel M. Lester	10003725-1	1212

7590 07/28/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/823,201	LESTER, SAMUEL M.	
	Examiner	Art Unit	
	Saeid Ebrahimi-dehKordy	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. Applicant's arguments filed 3/15/05 have been fully considered but they are not persuasive.

However examiner is referring to another part of Kageyama Fig.6 item 2700, 2710 and 2720, page 11 paragraphs 0222 and 0223 where the element 2710 converts or in this case translates the file by using the display/editing procedure translates the PDL file to the PDF or HTML file)

Applicant again on page 9 lines 21-23 and on page lines 10 lines 1-15 argues over the “sending the page description language commands to a page description language interpreter”. Examiner disagrees and points out applicant response on the page 10 lines 7-10 where applicant in fact concedes that device is an interpreter but is being used differently instead of translating to HTML and XML is interpreting the raster of bitmapped. In the case of claim 1 what has been claimed is the interpreter and is what Kageyama is disclosing.

Regarding claim 2 the applicant argues that the Kageyama fails to disclose the error for unrecognized command. Examiner points out that the failure of file to transfer would be caused by the unrecognized command. Regarding claim 4 applicants argues that the written file is a PDL document. Examiner points out page 5 paragraph 0100 lines 7-12 the document is a PDL document. Regarding claim 11, same response as claim 1 is applied. Regarding claim 13 which Examiner points out the postscript is if fact the PDL in Adobe.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-6 rejected under 35 U.S.C. 102(e) as being anticipated by Kageyama et al (Pub No.: 20040017583)

Regarding claim 1 Kageyama et al disclose: A method for operating a printer (note page 4 paragraph 0078) comprising: writing a document to a file (note page 5 paragraph 0100 lines 4-14) translating the file (note page 11 paragraphs 0222 and 0223 and specifically 0223 where the PDL format conversion section 2710 converts or in this case translates a document of PDL format stored in the archive 2200) using a procedure (note the procedure used in this case the “display/editing” procedure into a sequence of commands for a page description language (where the display/editing procedure is used to convert or in this case translate the document to the format of HTML or PDF, page 11 paragraph 0223 lines 11-18) and sending the page description language commands to a page description language interpreter (note Fig.6 where again the item 2710 and 2720 in combination would act also as interpreter to convert and modify the PDL for conversion to PDF and HTML, page 11 paragraphs 0222 and 0223).

Regarding claim 2 Kageyama et al disclose: A method as recited in claim 1, additionally comprising receiving an error message in response to an unrecognized command in the document (please note page 15 paragraph 0306).

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Regarding claim 3 Kageyama et al disclose: A method as recited in claim 1, wherein the document is of a type selected from a group of documents comprising a PDF document and an HTML document (please note page 11 paragraph 0223).

Regarding claim 4 Kageyama et al disclose: A method as recited in claim 1, wherein the procedure is written in the page description language (please note page 15 paragraph 0297).

Regarding claim 5 Kageyama et al disclose: A method as recited in claim 4, wherein the page description language is PostScript (please note page 5 paragraph 0089).

Regarding claim 6 Kageyama et al disclose: A method as recited in claim 1, additionally comprising obtaining, over a network, files referenced by the file (please note page 4 paragraph 0078).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vennekens (U.S. patent 5,652,711) in view of Kageyama et al (Pub. No.: US 20040017583)

Regarding claim 7 and 16 Vennekens discloses: et al disclose: A method for printing a document using a printer having an interpreter supported by a page description language, comprising: calling an error handler in response to an

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unrecognized command in the document (please note column 5 lines 64-67 and column 6 lines 1-3 where the master process 32 is the error handler) writing statements prior to the unrecognized statement to a file (please note column 13 lines 7-28) writing a data stream comprising the unrecognized statement and subsequent statements in the document to the file (please note column 13 lines 16-28) However Vennekens does not disclose: translating the file into a sequence of page description language commands; and sending the page description language commands to the interpreter. ON the other hand Kageyama et al disclose: translating the file into a sequence of page description language commands (note page 11 paragraphs 0222 and 0223 and specifically 0223 where the PDL format conversion section 2710 converts or in this case translates a document of PDL format stored in the archive 2200) and sending the page description language commands to the interpreter (note Fig.6 where again the item 2710 and 2720 in combination would act also as interpreter to convert and modify the PDL for conversion to PDF and HTML, page 11 paragraphs 0222 and 0223). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Vennekens 's invention according to the teaching of Kageyama et al, where Kageyama et al in the same filed of endeavor teach the way the error created by the PDL is handled by the processor for the purpose of detecting the errors.

Regarding claim 8 Kageyama et al disclose: A method as recited in claim 7, wherein the document is of a type selected from a group of documents comprising a PDF document and an HTML document (please note page 11 paragraph 0223).

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Regarding claim 9 Kogeyama et al disclose: A method as recited in claim 7, wherein translating is performed by a procedure is written in the page description language (note page 5 paragraph 0100 lines 4-8).

Regarding claim 10 Kageyama et al disclose: A method as recited in claim 9, wherein the page description language is PostScript (please note page 5 paragraph 0089).

Regarding claim 11 and 13 Vennekens discloses: A method for handling errors generated by a page description language in the course of printing a document (please note column 5 lines 64-67 and column 6 lines 1-3 where the master process 32 is the error handler) comprising, However Vennekens does not disclose: translating the document into a sequence of commands for a page description language; and sending the page description language commands to a page description language interpreter. On the other hand Kageyama et al disclose: translating the document into a sequence of commands for a page description language (note page 11 paragraphs 0222 and 0223 and specifically 0223 where the PDL format conversion section 2710 converts or in this case translates a document of PDL format stored in the archive 2200) and sending the page description language commands to a page description language interpreter (note Fig.6 where again the item 2710 and 2720 in combination would act also as interpreter to convert and modify the PDL for conversion to PDF and HTML, page 11 paragraphs 0222 and 0223). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Vennekens 's invention according to the teaching of Kageyama et al, where Kageyama et al in the same filed of

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endeavor teach the way the error created by the PDL is handled by the processor for the purpose of detecting the errors.

Regarding claim 12 Kageyama et al disclose: The method for handling errors in a page description language as recited in claim 11, wherein the translation is performed by a procedure written in the page description language (please note page 5 paragraph 0100).

Regarding claim 14 Kageyama et al disclose: A method as recited in claim 13, wherein the document is of a type selected from a group of documents comprising a PDF document and an HTML document (please note page 11 paragraph 0223).

Regarding claim 15 Kageyama et al disclose: A method as recited in claim 13, wherein the translation is done by a procedure written in PostScript (please note page 5 paragraph 0089).

Regarding claim 17 Kageyama et al disclose: A page description language as recited in claim 16, wherein the document is of a type selected from a group of documents comprising a PDF document and an HTML document (please note page 11 paragraph 0223).

Regarding claim 18 Vennekens discloses: A page description language as recited in claim 16, wherein the error handler is written in the page description language (please note column 5 lines 64-67 and column 6 lines 1-3 where the master process 32 is the error handler)

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Regarding claim 19 Kageyama et al disclose: A method as recited in claim 16, wherein the device is additionally caused to: obtain at least one additional file, referenced by the file over a computer network (please note page 15 paragraph 0297).

Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(571) 273-8300, (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Knox building on 501 Dulany Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy

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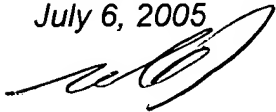
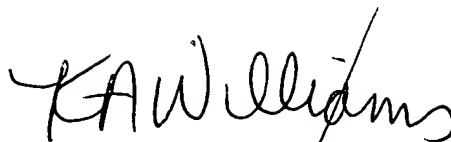
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Patent Examiner

Group Art Unit 2626

July 6, 2005

A handwritten signature in black ink, appearing to be 'KAW', located below the text 'July 6, 2005'.A handwritten signature in black ink that reads 'KAWilliams', located above the printed name.

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER